

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ST. CLAIR INTELLECTUAL PROPERTY
CONSULTANTS, INC.

Plaintiff,

V.

MIRAGE SYSTEMS, INC., *et al.*

Defendants.

[illegible]

Civil Action No. 05-273 JJF

JOINT STATUS REPORT

On March 8, 2006, the Court stayed this Action pending resolution of the patent ownership dispute between Eastman Kodak Company (“Kodak”) and St. Clair Intellectual Property Consultants, Inc. (“St. Clair”) in *Eastman Kodak Company v. Speas et al.*, Civil Action No. 05-039164 (Cal. Sup. Ct. April 12, 2005) (the “California Action”). Pursuant to the Court’s July 17, 2006 Order requiring a Status Report every ninety (90) days, the parties submit this joint report. On September 18, 2007, the California State Court set the California Action for trial beginning on January 7, 2008. The California Court scheduled four weeks for the trial.

On January 19, 2007, St. Clair filed an action in the United States International Trade Commission (“ITC”) asserting that Kodak infringes U.S. Patent Nos. 5,138,459, 6,094,219, 6,233,010, 6,323,899, and 6,496,222. On February 22, 2007, Kodak moved to stay St. Clair’s ITC case pending the determination of ownership of the patents by the court in the California Action. On May 11, 2007, the Administrative Law Judge issued Order No. 7 staying the ITC action pending resolution of ownership in the California Action. St. Clair filed a petition for review on May 18, 2007, requesting that the Commission review and lift the stay. On June 20,

2007, the Commission stated that it would not consider St. Clair's petition. On July 25, 2007, St. Clair filed a motion for reconsideration of the Administrative Law Judge's order staying the action. On August 16, 2007 the Administrative Law Judge issued Order No. 8 denying St. Clair's motion. On September 4, 2007, St. Clair moved to certify for interlocutory review Order Nos. 7 and 8. On September 20, 2007, the Administrative Law Judge denied St. Clair's motion to certify. The ITC action remains stayed.

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Dated: October 15, 2007

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on October 15, 2007, a copy of the foregoing JOINT STATUS REPORT was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing to counsel of record.

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